

**Lewis County Planning Commission
Public Hearing
St. Mary's Center
107 Spencer Rd., Toledo**

**September 29, 2010
Meeting Notes**

Planning Commissioners Present: Bill Russell, Mike Mahoney, Bob Guenther, Jim Lowery, Rachael Jennings, Arny Davis

Planning Commissioner Excused: Richard Tausch

County Commissioners Present: Bill Schulte, Lee Grose

Staff Present: Barbara Kincaid, Lynn Deitrick, Glenn Carter, Fred Chapman, Pat Anderson

Consultants Present: Roger Wagoner and Greg Waddell, BHC Consultants

South Lewis County Subarea Steering Committee Present: Cy Meyers, Larry Coyle, Bill Jones, Dick Larman, Jerry Pratt, David Holland, Glen Cook, Larry Mason

Others Present: Please see sign in sheets

Handouts/Materials Used:

- Agenda
- Summary of current land use and zoning in Lewis County
- Citizens' summary of the Subarea Plan, August 2010
- Subarea Plan and DEIS
- Comment Sheet
- Memo from Michelle Whitten re: Toledo UGA Proposal
- Memo from Barbara Kincaid re: Toledo UGA Proposal

I. Call to Order

Chairman Jennings called the meeting to order at 7:02 P.M. The Planning Commissioners introduced themselves. The Chair introduced Mr. Kincaid.

II. Staff overview

Ms. Kincaid gave an overview of the planning, zoning and public processes, and when GMA and zoning laws were established. People have asked how the county can zone or regulate private land. Some of it is done through the comprehensive plan. The county has a state compliant comp plan which sets forth the policies as to how land use decisions are made and those are done through the county code and mapping. In Lewis County there is rural zoning which is unincorporated or RDD (rural development district) 5, 10 and 20 and the county is the legislative authority for uses permitted there. Sewers are not allowed in those uses and the areas are limited to residential, farming and small businesses. There are also urban areas which is a term that might not be a good connotation to some people. Lewis County's urban areas are the small cities such as Toledo, Vader and Winlock, and the cities' UGA is the boundary that the city has determined it will need for in the next 20 years to support its growth.

The subarea plan is looking for areas in the county to make a county UGA that would change that rural designation. The county has talked generally about industrial, commercial, retail and tourism. There will be another public hearing and the comp plan or policy document presented tonight goes along with the proposed development regulations and policies that will be reviewed in November. There are

resource lands including agricultural, mineral and forest resource lands. Uses in these areas are limited. Agricultural lands is RDD-20, Mineral Resource lands is RDD-10, and Forest Resource land of Commercial Significance has a minimum lot size of 80 acres and Forest Resource land of local importance has a minimum lot size of 20 acres and is limited to residential or small farm business only.

The County Commissioners are the only people who can make land use changes and designations. The BOCC (Board of County Commissioners) will not hold its hearing on the Subarea plan until January. The Planning Commission offers another layer for the public to offer its input. The Planning Commissioners take testimony, deliberate on what they heard and work with staff. Their function is to make a recommendation to the BOCC. The Steering Committee has been the ground troopers collecting analysis to put together the draft document with the help of the consultants. This committee has not been appointed by the BOCC. It is made up of individuals from the cities of Toledo, Vader and Winlock, the Lewis County Economic Development Council, the Public Facilities District, the South Lewis County Chamber of Commerce, the Cowlitz Indian Tribal Housing, and the Ed Carlson Memorial Field. Those individuals believe that a good 20-year plan is very important for the welfare of Lewis County, for small city survival and the health of the county and that is what they set out to do. Some people have the impression that these decisions have been going on but it was just in August that the draft was finished. The group had to have something to produce for the public to comment on and that is the job they did.

Ms. Kincaid thanked everyone for attending to hear about the plan.

III. Old Business

A. Public Hearing on Subarea Plan and DEIS comments

Chairman Jennings stated there would be two separate public hearings. The first one would be for the South Lewis County Subarea Plan and the second on the proposed Toledo UGA. People who want to speak should sign up and each will have three minutes. There will be a calendar of the next meeting on the county website as soon as the calendar is determined. Chairman Jennings stated written testimony can be submitted to 2025 NE Kresky Avenue, Chehalis, until close of business on October 8, 2010. She opened the public hearing on the Subarea Plan.

Ms. Kincaid stated Mr. Roger Wagoner would begin with the PowerPoint. Mr. Wagoner explained some of the work BHC has done in the county since 1996. BHC is a land use planning consultant and has worked extensively on the Agricultural Resource Lands that was completed in December of 2009, and has been working on the Subarea Plan. Mr. Wagoner presented the PowerPoint.

Chairman Jennings opened the oral testimony portion of the hearing. She stated this was not a question and answer session but was an opportunity for the public to provide testimony. Ms. Kincaid read into the record the written testimony received by the county to date.

[Recorder's Note: Testimony has been edited to include comments relevant to the Subarea Plan or Toledo UGA Proposal].

Ms. Mary Jane Hall stated she had spoken with a supervisor in the Assessor's office and asked what would happen to her property taxes if her property was rezoned industrial. She was told if the land is rezoned to industrial as soon as a piece of property is sold to an industrial entity that allows the assessment to be changed on all the other property that was zoned industrial. She asked if there are businesses that are interested in locating in the area and what will happen to the property owners if they cannot afford to pay the higher taxes.

Ms. Dolores Blanck stated at the September 15 meeting she pointed out the vacant acres in South County and the proposal for new acreage. Lewis County can't fill the industrial acreage it has and she believes the TransAlta proposal needs to be redesigned. There is no need to adversely impact land owners. She stated the property owners would be charged thousands of dollars to hook up to water and sewer and permits would be denied if they don't hook up. Taxes are higher on industrial land than on agricultural land. She stated the developers should bear the cost of their own enterprises.

Mr. Curt Hedlund stated the people in this room can change this; they can vote the commissioners out. He asked where the grant money comes from.

Mr. R. G. Maki stated his concern is with the regional utility district which means you can run utilities any place you want to. In 20 years it might cost \$1000 a foot and that is not in his budget.

Mr. Robert Ellis stated Mill Creek Drive is a private road that will become a public road according to the plan. He does not want traffic through his property. Development will include parking lots and the run-off will go into Mill Creek.

Mr. Vic Khvoroff spoke to the ecosystems management which involves private land. He asked how you can make this approach work and he asked whose property boundaries you are talking about.

Chairman Jennings stated Mr. Khvoroff had run out of time but could speak at the Good of the Order at the end of the meeting.

Mr. Eugene Butler presented written testimony and summarized his statement. He stated the Toledo airport has not been talked about. That entity was considered several years ago when the county dealt with ag land and ag land was not to be designated around that area. Since then ag land has gone around it but the county has not said it is abandoning the plan to develop the airport.

Mr. Butler stated the proposal will increase the density at Exit 63. A man wanted to develop an equestrian center there and that land is considered wetland and because it is wetland Mr. Butler questions the proposal of making a UGA at that exit. With these exceptions, Mr. Butler has not found much to quarrel with in the plan.

Ms. Hazel Oberg stated she and her husband are against this plan and thinks the county should let the progress come when it comes. She stated there is plenty of area nearby that can be used.

Mr. Arnold Fleetwood asked what industrial zoning would do to his property value, taxes, etc. He was concerned about noise and he is opposed to the proposal.

Mr. Calvin Johnson stated his biggest concern is aesthetics. He wants to enjoy a rural community and he will be across the street from the proposal and it will change his quality of life. His neighbors know about the environment of the Lackamas and have taken good care of it. How can an industrial park be proposed and not destroy habitat. He enjoys what the cities provide and supports that but an industrial complex destroying the best area in the community will not do that. He does not support the proposal.

Mr. Skip Urling represents people who have a financial interest at Exit 63. He stated the environmental constraints are not as dire as reflected early. He believes the county is looking to create a better

environment and it has to be thinking about people here today and their children and grandchildren, which is providing additional taxes and an opportunity to make things better here in the long run. The preferred alternative is to annex the properties at I-5. Most will agree that the government is not here to create jobs, but government can provide some predictability for regulatory environment to improve the community and have some certainty; this plan provides that framework. In November the public will see that it is to protect the surrounding areas. He thinks this is a good plan and recommends it.

Mr. John Dunning lives on Knowles Rd. and his property is not on the map. He has 36 acres of good ground which is buildable and hopes the committee will consider his property.

Ms. Bernadette Bruenn would like her property taken out of the proposal. She does not want to listen to trucks and noise and be disturbed by lights. She stated we need growth and jobs and she is not sure this is the best use of the money and there was \$285,000 used for this planning. She is opposed to this plan. Schools here are not bad and a lot of money is spent but things don't improve.

Mr. Brian Talbott stated he supports the people trying to protect their property. He stated the BOCC will be adopting an ordinance for LCC 17.14 [open space]. He read from the document. He supports the people who are trying to preserve their rights and not be run off by increased taxes.

Ms. Antoinette Nelson stated she did not believe there was a person at the meeting who did not want to see a stronger city but this is not the time to spend money. This is a tight economic time. The schools' enrollments are dropping and people cannot sell their homes. Stores are pulling out of the malls. She suggested revisiting it in 5-8 years.

Mr. George Redden read into the record a statement from his neighbors. There are 21 signatures on the petition and there is now another petition for anyone to sign that is against the Jackson Hwy/505 development. He read that petition. He stated he and his wife oppose this plan.

Ms. Barbara Beatty stated she has lived in many places and has seen lots money being spent and then the projects sit empty. It is not a guarantee that if you spend money they will come.

Ms. Birdenne Woody is opposed to the Jackson Hwy/505 development. She stated neighbors directly affected by the proposal have not been invited to participate. She stated there is enough industrial land and wants this area left alone. She and her husband oppose the plan.

Ms. Barbara Anaya opposes this proposal. She lived in an area like this that turned into a metropolis and there were inadequate facilities to bring police in when the crime increased. She stated people do not think about the problems that come with urban areas. She and her husband oppose the plan.

Mr. Art Keyes stated if the county wants jobs he can bring jobs but keep the government and environmental people out of his way.

Ms. Ruth Decker asked why the commercial area at Exit 59 and the areas at Exit 63 are not part of an urban growth area.

Mr. Greg King stated he opposes this proposal. He stated if this is the same planning commission that planned K-mart we don't need you as a planning commission.

Mr. Paul Hansen stated he and his wife oppose the lifestyle being force upon them. A lot of things he has heard are rumor and a lot are false but he does not want the increased taxes.

Ms. Mary Carlson stated it is not the responsibility of the government to provide jobs. Jobs are provided by people needing work. The people living in this area have it the way they like it and she and her husband are opposed to this plan.

Ms. Maxine Babb stated her family enjoys the quiet and privacy they have. She wants to opt out.

Mr. Dale Nielsen stated he came from Tacoma and has seen what happened in Puyallup and that area. If it's going to be like that here he does not want it. He asked that the Planning Commission listens to what the people here want. The wetlands on I-5 have been proven to be wetlands and you say you want to develop it. He does not like the proposal.

Mr. Ken Norberg asked what has been done to improve I-5. If you develop more you need to look at transportation. He wants to see high-paying jobs.

There was no more oral testimony and Chairman Jennings closed the public hearing. She reminded everyone that written testimony will be accepted until October 8.

Chairman Jennings recessed the meeting until 9:15.

B. Public Hearing on Proposed Toledo UGA expansion

Ms. Kincaid gave a summary of the Toledo UGA proposal. Toledo needs more land to support population growth to 2030 for 1,131 people. She pointed out on the map the area being considered, which is 149 acres.

The area is adjacent to the current city limits. County staff has reviewed the proposal and the target population number is consistent with OFM and planning documents. The Planned Growth Committee (PGC) also reviewed the proposal prior to passing it on for the Planning Commission's consideration. Ms. Kincaid explained that the PGC is made up of all the cities in Lewis County and the BOCC. This was approved in July of this year. The Planning Commission read the staff report at the workshop, dated September 10, 2010, and recommends approval of the 149-acre expansion with certain conditions. Those conditions state it must include the entire road right of way and if adopted the city must amend its comprehensive plan and general water and sewer plans to include this new area.

Chairman Jennings opened the oral testimony portion of the hearing.

Ms. Antoinette Nelson stated she is already paying taxes for schools and the fire department and she has no plans to put extra homes on her acreage. She is opposed to the expansion.

Mr. Charlie Hall stated the city can't take care of what it's got now, that the Vader police department is helping Toledo. He stated this expansion is not needed and he is opposed to it.

Mr. Dale Nielsen stated there does not appear to be a plan and he does not know how a decision can be made without a plan. Get the plan out first and get the people informed. He asked if taxes are going up and where the new sewer plant is going to be.

There was no other public comments and Chairman Jennings closed the public hearing.

III. Calendar

On October 5 there will be a special public hearing on Rezone Application #156 in Mineral at the Mineral Events Center at 7:00 p.m.

October 12 will be the public hearing on all rezones, countywide planning policies and population allocation, and a workshop on the Lewis County Public Works Six Year Transportation Plan.

VI. Good of the Order

Chairman Jennings explained the review of the testimony by the Planning Commission and answering questions at the next workshop. This plan will not go to the BOCC until January and the Board will hold the same type of public hearing.

Ms. Kincaid stated after the Planning Commission closes its meeting she will be available to answer questions. She encouraged questions tonight, or to call her at 740.2677, or call Winlock, Toledo or Vader City Hall with questions.

Commissioner Russell stated anyone can ask a question. It will not be answered tonight but it will be considered during the workshop.

Ms. Sharon White referred to the comment sheet that asks for questions and she stated she appreciates the Planning Commission for volunteering for this work.

Mr. Khvoroff read page 4 of the Subarea Plan which speaks to sustainable development. He asked what that is. He stated you need to check to see where the dollars are coming from; you will hear about grant dollars which are free dollars but they are not free because we borrowed it. We need to find out what this is all about.

A question was asked about publication of the meeting notices. Chairman Jennings stated the legal notices are published in the East County Journal and the Chronicle and posted on the website.

Ms. Mary Jane Hall asked if an area is in a UGA can the county still develop it as industrial.

Commissioner Mahoney thanked everyone for coming. He stated as contentious as the meetings get it is good to get input and see the interest out there.

V. Adjourn

Chairman Jennings thanked everyone for their attendance and their patience and entertained a motion to adjourn. A motion was made and seconded and the meeting adjourned at 9:38 p.m.